

September 3, 2021

FILED ELECTRONICALLY VIA CM/ECF

Honorable Ona T. Wang
United States District
Court 500 Pearl Street
New York, New York 10007

Re: *BSG Resources (Guinea) Limited, et al. v. George Soros, et al.*, No. 1:17-cv-02726 (JFK) (OTW)

Dear Judge Wang:

Pursuant to Section IV(a) of Your Honor's Individual Practices, our client, non-party Benjamin Steinmetz ("**Mr. Steinmetz**") requests permission to file under seal the enclosed letter, which responds to the Defendants' August 30, 2021 letter-motion (ECF No. 288), which itself has been filed under seal. Because the enclosed letter-motion refers and responds to a motion presently under seal, we have chosen to file the letter-motion under seal pending this request.

The enclosed letter-motion refers to Mr. Steinmetz's August 29, 2021 deposition testimony, the transcript of which we have only just received. Pursuant to the Stipulated Protective Order (ECF No. 81), deposition testimony may be designated as Confidential or Highly Confidential at any time within 14 days after the deposition. (*Id.* § IV(2)(b).) If a party indicates it will designate any portion of the testimony as protected, the Designating Party has 30 days after receipt of the final transcript to identify portions of the testimony as protected. (*Id.*) "During such 30 day time period, the entire deposition transcript, including any exhibits, shall be deemed 'HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY.'" (*Id.*) As our deadline to determine whether we will be designating any portions of the deposition as Confidential or Highly Confidential has not yet passed, any reference to the deposition should be filed under seal. We anticipate, however, that we will be designating at least some portions of the transcript as at least Confidential.

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For all the reasons set forth above, our enclosed letter is property filed under seal and should remain sealed until a determination to the contrary by the Court.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Yisrael Hiller', is positioned above the printed name.

Yisrael Hiller

cc: Counsel of record (by ECF)